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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
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6 **ERIC EUGENE SMITH,**

7 Plaintiff,

8 vs.

9 **TIMOTHY FRIEDERICHS, ET AL.,**

10 Defendants.

CASE NO. 16-cv-06203-YGR

**ORDER TO SHOW CAUSE REGARDING
FAILURE TO FILE RESPONSE TO MOTION
FOR SUMMARY JUDGMENT**

Re: Dkt. No. 52


11 On September 19, 2017, defendants in the above-captioned case filed their motion for
12 summary judgment. (Dkt. No. 52.) Plaintiff's deadline to file a response was October 3, 2017,
13 and the matter was set for hearing on October 24, 2017. As of the present date, plaintiff has yet to
14 file a response.

15 Accordingly, plaintiff is **ORDERED TO SHOW CAUSE** explaining why defendants' motion
16 should not be granted. No later than **October 20, 2017**, plaintiff must file his response to
17 defendants' motion for summary judgment or a statement explaining his failure to do so. If
18 plaintiff files his response by October 20, 2017, defendants' reply shall be due seven days
19 thereafter.

20 The Court further **VACATES** the hearing currently set for October 24, 2017. After briefing
21 is complete, the Court may reset a hearing date, if necessary.

22 **IT IS SO ORDERED.**

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24 Dated: October 12, 2017

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YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE
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